

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 086-08 41 S. ONTARE ROAD MODIFICATION NOVEMBER 19, 2008

APPLICATION OF MATHEW GRADIAS FOR NELSON & KATHLEEN ROBERTS, 41 S. ONTARE ROAD, APN 051-053-011, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2008-00472)

The 6,547 square foot project site is located on the corner of S. Ontare Road and San Pablo Lane. Current development on site consists of a single family residence and detached garage. The proposed project involves a remodel and interior floor plan reconfiguration. The discretionary application required for this project is a Modification to permit window and door changes and a new chimney to be located within the required 20' front setback facing San Pablo Lane (SBMC § 28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, one person people appeared to request additional information, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, November 13, 2008.
- 2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the subject application making the following findings and determinations:
 - The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed alterations are appropriate for the residence and will allow a remodel that does not expand the existing footprint or result in impacts to the neighbors.
- II. Said approval is subject to the condition that the existing fence that encloses the yard between the residence and garage be brought into compliance with maximum heights as required by the Ordinance.

This motion was passed and adopted on the 19th day of November, 2008 by the Staff Hearing Officer of the city of Santa Barbara.

STAFF HEARING OFFICER RESOLUTION NO. 086–08 41 S. Ontare Road November 19, 2008 Page 2

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Gloria Shafer, Staff Hearing Officer Secretary

Date

1-21-2008

PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- 2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
- 3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action
- 4. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 5. <u>NOTICE OF APPROVAL TIME LIMITS</u>: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.